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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,471	02/13/2004	Bradford G. Baruh	033151-026	5526

21839 7590 09/19/2005

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EXAMINER
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DUNWOODY, AARON M

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 09/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/779,471

Applicant(s)

BARUH, BRADFORD G.

Examiner

Aaron M. Dunwoody

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 7-10 and 12-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/13/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of Group 18, Figures 24-26 in the reply filed on 8/16/2005 is acknowledged.

Claims 7-10 and 12-22 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 8/16/2005.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) filed 2/13/2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 4783099, Muser.

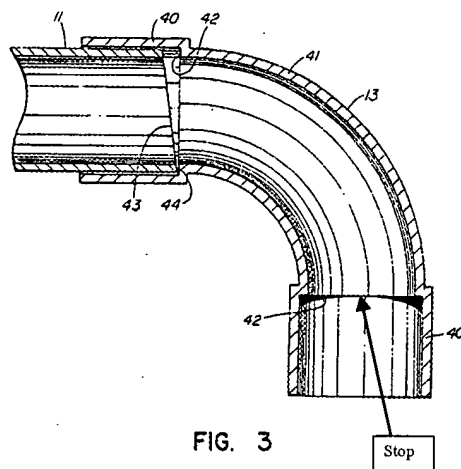
In regards to claim 1, Muser discloses a pipe coupling comprising:

an elongated housing comprising a first end and a second end, the housing defining an elongated bore therein;

a stop (see Figure 3 below) located on an inner diameter of the housing, the stop located between the first end and the second ends of the housing, wherein a distance from the stop to one of the first and second ends is at least two times a distance from the stop to the other of the first and second end of the housing;

a first cylindrical bore extending from the first end to the stop; and

a second cylindrical bore extending from the second end to the stop, wherein an angle between the first cylindrical bore and the second cylindrical bore is about 15 degrees to about 165 degrees.



In regards to claim 4, Muser discloses the angle between the first cylindrical bore and the second cylindrical bore being about 90.

In regards to claim 11, Muser discloses a pipe coupling consisting of: an elongated housing comprising a first end and a second end, the housing defining an elongated bore therein;

a stop located on an inner diameter of the housing, the stop located between the first end and the second ends of the housing, wherein a distance from the stop to one of

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the first and second ends is at least two times a distance from the stop to the other of the first and second end of the housing;

a first cylindrical bore extending from the first end to the stop; and

a second cylindrical bore extending from the second end to the stop, wherein the angle between the first cylindrical bore and the second cylindrical bore is about 15 degrees to about 165 degrees.

Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent 4810008, Brodie.

In regards to claim 1, Brodie discloses a pipe coupling (44, 82, 94, 104) comprising:

an elongated housing comprising a first end and a second end, the housing defining an elongated bore therein;

a stop (76) located on an inner diameter of the housing, the stop located between the first end and the second ends of the housing, wherein a distance from the stop to one of the first and second ends is at least two times a distance from the stop to the other of the first and second end of the housing;

a first cylindrical bore extending from the first end to the stop; and

a second cylindrical bore extending from the second end to the stop, wherein an angle between the first cylindrical bore and the second cylindrical bore is about 15 degrees to about 165 degrees.

In regards to claim 2, Brodie discloses the angle between the first cylindrical bore and the second cylindrical bore being about 45 degrees (implied by the coupling's flexibility).

In regards to claim 3, Brodie discloses the angle between the first cylindrical bore and the second cylindrical bore being about 60 (implied by the coupling's flexibility).

In regards to claim 4, Brodie discloses the angle between the first cylindrical bore and the second cylindrical bore being about 90.

In regards to claim 5 Brodie discloses the angle between the first cylindrical bore and the second cylindrical bore being about 120 degrees (implied by the coupling's flexibility).

In regards to claim 6, Brodie discloses the angle between the first cylindrical bore and the second cylindrical bore being about 135 degrees (implied by the coupling's flexibility).

### ***Conclusion***


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure because it illustrates the inventive concept of the invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M. Dunwoody whose telephone number is 571-272-7080. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 571-272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Aaron M Dunwoody  
Primary Examiner  
Art Unit 3679

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